

JUDGE SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN M. BURGE,

Defendant.

CASE NO. CR08-5453BHS

DEFENDANT'S UNOPPOSED
MOTION FOR ORDER EXTENDING
PRETRIAL MOTIONS DEADLINE
and

ORDER AUTHORIZING SAME

NOTE FOR: July 11, 2008

Counsel for the defendant moves this Court to extend the motions filing deadline three weeks from July 17, 2008 to August 7, 2008 based on the following reasons.

AUSA London does not object to this extension of time request. Although according to AUSA London the discovery in this matter was mailed to defense counsel on July 3, has not yet been received by the defense as of today. Government counsel will provide a second set to defense counsel tomorrow. Additional discovery generated in a state prosecution that was pending in Cowlitz County for almost one year (based on the same allegations set forth in this cause), yielded approximately 15 pounds of hard copy discovery that defense counsel is in the process of reviewing. Given the volume of discovery and the fact that defense counsel is in trial preparation for a case set for July 21 before Judge

DEFENDANT'S MOTION FOR ORDER
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1 Martinez, defense counsel needs the requested additional time to consider and file pre-trial
2 motions.

3 Government counsel has indicated the likelihood that additional fraud charges will be
4 added by a superseding indictment prior to trial in the event plea negotiations do not resolve
5 the case. This in turn will undoubtedly result in the need to re-set the trial date and a pre-
6 trial motions date.

7 Both parties' respective counsel believe this is a factually complex case and therefore
8 at this time believe that it will be very difficult if not impossible to be ready for trial on
9 September 2, 2008 . (Under the present trial schedule for example, trial pleadings are due to
10 be filed on August 19.) They further believe that more time is needed by both counsel to
11 address these matters. The defendant is not in custody.

12 Dated this 9th day of July, 2008.

13 Respectfully submitted,

14 /s/ Kenneth E. Kanev

15 By: _____
16 KENNETH E. KANEV,
Attorney for Defendant Ryan Burge

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ORDER

Based on the foregoing,

IT IS SO ORDERED that the pre-trial motions filing deadline is extended to August 7, 2008.

Dated this 16th day of July, 2008.


BENJAMIN H. SETTLE
United States District Judge

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